United Nations Convention on the Law of the Sea SPLOS/L.62

Meeting of States Parties

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Draft decision on the allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea*

The Meeting of States Parties,

Reiterating the joint proposal of the Group of African States and the Group of Asian States as contained in document SPLOS/182,

Recalling the importance and past practice of reaching general agreement of all States parties on the allocation of seats,

Recognizing the need to reach an updated agreement on the allocation of seats for both the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea consistent with equitable geographic representation and equitable geographic distribution as set out in the Convention,

Decides that:

(a) The allocation of seats of the Commission on the Limits of the Continental Shelf shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats; the members of the Commission will be elected as follows:

(i) Five members of the Commission shall be elected from the Group of African States;

(ii) Five members of the Commission shall be elected from the Group of Asian States;

(iii) Three members of the Commission shall be elected from the Group of Eastern European States;

(iv) Four members of the Commission shall be elected from the Group of Latin American and Caribbean States;

(v) Three members of the Commission shall be elected from the Group of Western European and other States;

* Submitted by the Group of African States and the Group of Asian States.

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(vi) The remaining one member of the Commission shall be elected from among the Group of African States, the Group of Asian States and the Group of Western European and other States, provided that:

a. The region from which the candidate is elected in accordance with paragraph (vi) above will be excluded from the elections at the end of the term of that candidate; and

b. The regions from which the candidates are elected in accordance with paragraphs (vi) and (vi)a above will be excluded from the elections at the end of the term of the candidate elected in accordance with paragraph (vi)a;

(b) The allocation of seats of the International Tribunal for the Law of the Sea shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats; the members of the Tribunal will be elected as follows:

(i) Five judges shall be elected from the Group of African States;

(ii) Five judges shall be elected from the Group of Asian States;

(iii) Three judges shall be elected from the Group of Eastern European States;

(iv) Four judges shall be elected from the Group of Latin American and Caribbean States;

(v) Three judges shall be elected from the Group of Western European and other States;

(vi) The remaining one member of the Tribunal shall be elected from among the Group of African States, the Group of Asian States and the Group of Western European and other States, provided that:

a. The region from which the candidate is elected in accordance with paragraph (vi) above will be excluded from the elections at the end of the term of that candidate; and

b. The regions from which the candidates are elected in accordance with paragraphs (vi) and (vi)a above will be excluded from the elections at the end of the term of the candidate elected in accordance with paragraph (vi)a;

(c) The above arrangements will be applicable to future elections, while not prejudicing new arrangements that may be agreed upon by the States parties.